

01 MAR 2006

FORM PTO 1390 (REV 5-93) US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2006_0153A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371		U.S. APPLICATION NO. <small>(if known see 37 CFR 1.5)</small> NEW 10/1570043
International Application No. PCT/EP2004/051997	International Filing Date September 2, 2004	Priority Date Claimed September 2, 2003
Title of Invention REGULATABLE GENE EXPRESSION IN MAMMALIAN CELLS AND MAMMALS		
Applicant(s) For DO/EO/US Martin FUSSENEGGER et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. §371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. ATTACHMENT A c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. §371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19. 9. <input checked="" type="checkbox"/> An executed oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). ATTACHMENT B 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)). 		
Items 11. to 14. below concern other document(s) or information included:		
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. ATTACHMENT C 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. ATTACHMENT D <ul style="list-style-type: none"> <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input checked="" type="checkbox"/> Other items or information: - Sequence Listing in paper and computer readable form 		

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

U.S. APPLICATION NO. (known as 37 CFR 1.3)		INTERNATIONAL APPLICATION NO. PCT/EP2004/051997	ATTORNEY'S DOCKET NO. 2006_0153A		
15. [X] The following fees are submitted				CALCULATIONS	PTO USE ONLY
Basic National Stage Fee		\$300.00			
National Stage Search Fee		\$400.00			
National Stage Examination Fee		\$200.00			
Specification/drawings in excess of 100 pages (units of 50 x \$250.00) =		\$			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$900.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$			
Claims	Number Filed	Number Extra	Rate		
Total Claims	27 -20 =	7	X \$50.00	\$350.00	
Independent Claims	1 - 3 =	?	X \$200.00	\$	
Multiple dependent claim(s) (if applicable)		+ \$360.00		\$	
TOTAL OF ABOVE CALCULATIONS =		\$1,250.00			
[X] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.		\$625.00			
SUBTOTAL =		\$625.00			
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+ \$			
TOTAL NATIONAL FEE =		\$625.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		\$			
TOTAL FEES ENCLOSED =		\$625.00			
				Amount to be refunded	\$
				Amount to be charged	\$
<p>a. [X] A check in the amount of <u>\$625.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed.</p> <p>b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. [] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u>.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>					
19. CORRESPONDENCE ADDRESS			<p>By: <u>Warren M. Cheek</u> Warren M. Cheek, Jr. Registration No. 33,367</p> <p>WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250</p>		
CUSTOMER NO. 000513			March 1, 2006		

19. CORRESPONDENCE ADDRESS

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